

1  
2  
3  
4 BILL NO. S-74-07- 12

5 SPECIAL ORDINANCE NO. S- 105-74

6 AN ORDINANCE approving a certain bid document  
7 with A. M. TILBURY, INC. for construction of  
8 two multipurpose courts at Study and Hanna Park

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
10 WAYNE, INDIANA:

11 SECTION 1. A certain bid document Ref. No. 589 dated June 6, 1974  
12 between the City of Fort Wayne, by and through its Mayor and the Board of Park  
13 Commissioners and A. M. TILBURY, INC., for:

14 Two Concrete Multipurpose Courts  
15 (80' x 80') with two alternates \$29,860.00

16 as more specifically set forth in said bid document Ref. No. 589 and Purchase  
17 Order No. 3-25810 which are on file in the office of the Department of Purchasing,  
18 and are by reference incorporated herein and made a part hereof, are hereby in  
19 all things ratified, confirmed and approved.

20 SECTION 2. This Ordinance shall be in full force and effect from and  
21 after its passage and approval by the Mayor.

22  
23  
24 William T. Zinga  
25 Councilman

26  
27  
28  
29  
30 APPROVED AS TO FORM

31 Robert B. C.  
32  
33 CITY ATTORNEY  
34  
35

Read the first time in full and on motion by Hingis, seconded by Stier, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 7/9/74

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by Hingis, seconded by Stier, and duly adopted, placed on its passage.

Passed (~~DEPT~~) by the following vote:

	AYES <u>8</u>	NAYS _____	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 7-23-74

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 8-105-74 on the 23rd day of July, 1974.

ATTEST: (SEAL)

Charles W. Talarico  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P. M., E.S.T.

Sam H. Smith  
MAYOR

Bill No. S-74-07-12

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
approving a certain bid document with A.M. TILBURY, INC. for construction  
of two multipurpose courts at Study and Hanna Park

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

William T. Hinga - Chairman

John Nuckols - Vice-Chairman

James S. Stier

Winfield C. Moses, Jr.

Paul "Mike" Burns

CONCURRED IN

DATE 7-23-74 CHARLES W. WESTERMAN, CITY CLERK

*memo from*

## **Purchasing Department**

June 19, 1974

Board of Park Commissioners  
8th Flr., City-County Bldg.  
One Main St., Ft. Wayne, Ind. 46802

Attention: Dennis Noak

Subject: Bid No. 589

Attached is a copy of the successful bidder.

A.M. Tilbury, Inc.

(P.O. 3-25810)

Open Space Land Program Part 1 - HUD Project No. OSC-1008  
Resolution No. R-41-73

Two (2) Concrete Multipurpose Courts 80' x 80'      \$29,860.00

Tabulation sheet is attached.

We do not have the performance bond. It is to be mailed to us per  
Mr. Tilbury.



To A. T. Demetroff, Director of Purchasing Date 6-19-74  
From D. J. Noak, Assistant Superintendent of Parks *ifn*  
Subject Bid Reference No. 589

Copies to

Please accept Tilbury Inc. bid of \$29,860.00  
for two Multipurpose courts.

Please forward information back as soon as possible  
so we can process it for Council.

RECEIVED  
PURCHASING DEPT.  
JUN 19 1974  
7:30 AM B123456 FM  
A

REGULATION OF BIDS

BID REF. 589

Two Concrete Multipurpose  
Courts

CLOSING DATE June 6, 1974  
(Park Department)

S & O Construction

A.M. Tilbury, Inc.

*afld. O.K.*

*check #1, 493.00*

*Base bid #29,860.<sup>00</sup>*

*alt. #1 - Deduct #450.<sup>00</sup>*

*alt. #2 - Deduct #5,625.<sup>00</sup>*

U.S. Steel

DEPARTMENT OF PURCHASES  
Number One Main St., Ft. Wayne, Ind. 46802

INVITATION

Quotations, subject to the conditions on the reverse hereof, are requested on the following list of materials, supplies, equipment or services, for the department as mentioned, with delivery to destination as shown below. Quotations shall include all charges for delivery, packing, etc. Address your reply as indicated below.

\*Fill all replies and correspondence, etc. to Attn. of A. T. Denatoff

(Telephone: 423-7037 671)

DEPARTMENT OF PURCHASES

Page 1 of 5

Ref. No. 599

Date May 22, 1974

Date wanted \_\_\_\_\_

Fund 850-2-242

Appropriation No. \_\_\_\_\_

Room ~~XXXX~~ 1300 Number One Main St., Ft. Wayne, Ind. 46802

Address  
**REQUIRED FOR DELIVERY TO:**

Department or Division Board of Park Commissioners

8th Flr., City-County Building

Address One Main Street, Fort Wayne, Indiana 46802

RETURN ORIGINAL TO THE CITY—RETAIN DUPLICATE COPY FOR YOUR FILE

Closing

Time of Bids Thursday, June 6, 1974 at 10:00 A.M.

TAXES: THE CITY IS EXEMPT FROM FEDERAL EXCISE AND INDIANA STATE SALES TAX. THE CITY'S INDIANA SALES TAX EXEMPTION CERTIFICATE NUMBER IS NO. 84608. PRICES SHOULD NOT INCLUDE THESE TAXES. See "Instructions to Bidders" No. 10 on reverse hereof for details.

**TAX EXEMPT (Unless otherwise indicated)**

Quantity	Unit	Materials, Supplies, Equipment or Services	Unit Price	Total Amount
		Open Space Land Program Part 1 HUD Project No. OSC-1008 Resolution No. R-41-73		
		Two Concrete Multipurpose Courts (80' x 80') with two alternates.		
		BASE BID - TWENTY NINE THOUSAND EIGHT HUNDRED SIXTY DOLLARS		29,860 <sup>00</sup>
		ALT #1 DEDUCT FOUR HUNDRED FIFTY DOLLARS		450 <sup>00</sup>
		ALT #2 DEDUCT FIVE THOUSAND SIX HUNDRED TWENTY FIVE DOLLARS		5,625 <sup>00</sup>

Bid Bond required ☐ NO ☒ YES 5% of Total Bid Performance Bond ☐ NO ☒ YES

See instruction item No. 16 on reverse side hereof.

Terms        % cash discount if paid within        days from delivery and acceptance of goods or completion of services.

PROPOSAL OR BID

In compliance with the above invitation for bids and subject to all conditions thereof, the undersigned offers and agrees, if this bid be accepted within a reasonable time from date of closing, to furnish any or all of the items or render such services upon which prices are quoted, in accordance with the specifications applying and at the price set opposite each item.

Delivery of any or all of the items or completion of services indicated shall be made within        days from receipt of order.

**IMPORTANT**

As delivery may be a deciding factor in the award of an order, it is important that bidders furnish the information requested above.

Sign Here:

A. M. Tibbitts, INC.

For Arthur M. Tibbitts Name of Company

Title PRESIDENT

Address 1300 LEEBORG ROAD

City FORT WAYNE, IND 46804

Date 6.5.74

NON-COLLUSION AFFIDAVITSTATE OF INDIANA, }  
    Allen COUNTY } SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting, nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale or contract.

Arthur M. Tully, Jr.  
Bidder or Agent

For A.M. TULLY, INC.  
Firm or Corporation

Subscribed and sworn to before me this 5<sup>th</sup> day of June, 1944

My Commission Expires

9-10-45

Patricia Ann Riley



REQUEST FOR PUBLICATION

News
Sentinel X
Journal
Gazette X
Other

DATE May 22, 1974

Kindly publish the following advertisement on the dates as shown and issue invoice to \*

\* Department Board of Park Commissioners  
8th Flr., City-County Bldg.  
Address One Main St., Ft. Wayne, Indiana 46802

Department of Purchases  
City of Fort Wayne

By *A. T. Demetroff*

BIDS WANTED - REFERENCE NO. 589

Sealed Proposals will be received by the City of Fort Wayne at the  
Office of Department of Purchases, Number One Main Street, Room  
470, Fort Wayne, Indiana, until 10:00 A.M., Thursday June 6, 1974  
for the following items:

(See Page 4A of 5)

Bid Forms, specifications, etc., may be obtained upon application at  
the office and address given above.

A Bid Bond or Certified Check in the amount of \$ 5% of Total Bid  
must be submitted with the bid.

Department of Purchases  
City of Fort Wayne  
By A.T. Demetroff  
Director of Purchases

INSERT 1st RUN

REPEAT 2nd RUN

Type of Advertising Required

May 27th, 1974

June 3, 1974

LEGAL NOTICE X

Open Space Land Program Part I  
HUD Project No. OSC-1008  
Resolution No. R-41-73

Two Concrete Multipurpose Courts (80' x 80')  
with two alternates.

"Each Bidder must submit a written Affirmative Action Program with his or her bid."

"The Affirmative Action Program must include specific goals and timetables for the employment and training of minorities; and for the employment and training of lower income residents of the project area."

"Each Bidder must insure that all employees and applicants for employment are not discriminated against because of their race, creed, color, sex or national origin."

# PROPOSAL AND BID SURETY FORM

## PROPOSAL:

In compliance with the foregoing invitation to bid and subject to all of the conditions thereof the undersigned offers and agrees, if this bid is accepted within a reasonable time from date of opening of bids, to enter into a contract in accordance with the prices stated herein.

The Legal Advertisement, General Conditions, Instructions to Bidders, Information for Bidders, Special Conditions, Specifications, and Plans applying form a part of this proposal.

This proposal is supported by the following bid surety as required by law and signatures affixed thereto constitute both a proposal and bid surety executed by the bidder.

## BID SURETY (REQUIRED BY LAW):

BOND FORM: (USE THIS BOND FORM—NO ALTERNATE FORM OF BOND WILL BE CONSIDERED).

KNOW ALL MEN BY THESE PRESENTS, THAT we, the undersigned, are held and firmly bound unto the City of Fort Wayne, State of Indiana, in the sum of ONE THOUSAND

.....Dollars, to be paid on demand to said City of Fort Wayne, its successors and assigns for which payment well and truly to be made, we hereby bind ourselves, our heirs, successors, executors, and administrators, jointly and severally firmly by these presents.

The condition of this obligation is such that if the bid or proposal attached hereto and made a part hereof and submitted to the within named division of the City of Fort Wayne or its duly constituted agent, is accepted and a contract awarded to the undersigned bidder and the said bidder shall within ten (10) days after notice of said award enter into a contract with the said City of Fort Wayne, State of Indiana, and shall secure the performance of the same by bond or otherwise as may be required to the satisfaction of the City of Fort Wayne, Indiana then this obligation shall be null and void; otherwise to be in full force and effect.

## BID CHECK (ALTERNATE FORM OF SURETY):

Certified ☒

Cashiers ☐ Check No. .... in the sum of ONE THOUSAND FOUR HUNDRED NINETY THREE & 50/100 (\$1,493.50) .....Dollars

on ..... Bank of ..... is herewith submitted and deposited in lieu of bond under the same terms and conditions as set forth in the above bond. Note: If Check is used as Bid Surety—Attach here.

If a corporate surety is furnished, it is necessary that a certificate authorizing the "attorney-in-fact" to sign the bond accompanying the same.

## SIGNATURES (BID SURETY AND PROPOSAL):

Witnessed by:

*[Signature]*

## OTHER PARTIES INTERESTED IN THIS PROPOSAL

(See 14—Signatures under General Conditions, etc.)

List all Parties if Partnership

Witnessed by:

BIDDER  
AND  
PRINCIPAL

SURETY

A.M.T. BURY INC.  
Name of Bidder—Print or Type  
By Arthur M. Bury  
Signature of Person Authorized to Sign  
Title PRESIDENT  
1200 LEESBURG ROAD  
Street Name and Number  
FORT WAYNE, INDIANA 46804  
City, State and Zip Code  
Date 6-5-74

Name of Company—Print or Type

Incorporated  
In the State of: .....

Address.....

By.....

Sign on this Line

Date.....

WRITTEN STATEMENT OF COMPANY POLICY

It is the policy of A.M. Tillbury, INC. that  
(Name of Company)  
equal employment opportunity be afforded to all qualified persons without  
regard to race, religion, color, sex or national origin.

In support of this policy, A.M. Tillbury, INC. will not  
(Name of Company)  
discriminate against any employee or applicant for employment because of race,  
religion, color, sex or national origin.

The A.M. Tillbury, INC. will take  
(Name of Company)  
affirmative action to insure that applicants are employed and that employees are  
treated during employment without regard to their race, religion, color, sex,  
or national origin. Such action will include, but not be limited to:

RECRUITMENT, ADVERTISING OR SOLICITATION FOR EMPLOYMENT  
HIRING, PLACEMENT, UPGRADING, TRANSFER OR DEMOTION,  
SELECTION FOR TRAINING INCLUDING APPRENTICESHIP, RATES  
OF PAY OR OTHER FORMS OF COMPENSATION, LAYOFFS OR  
TERMINATION.

A.M. Tillbury, INC.  
(Name of Company)

Arthur M. Tillbury  
(Signature of Company Official)

5-14-74  
(Date)

Date MAY 14, 1974AFFIRMATIVE ACTION PROVISIONS

## INSTRUCTIONS

NOTE: THIS FORM TO BE EXECUTED BY THE PRIME CONTRACTOR AND ALL SUB-CONTRACTORS.  
ADDITIONAL FORMS ARE AVAILABLE AT THIS OFFICE.

- Name of Firm A. M. TILBURY, INC.
- Address 1300 LEESBURG RD. FT WAYNE, IND. 46804  
(Street & Number) (City) (State) (Zip Code)
- Telephone Number 422-4358
- Person responsible for contract provisions: A. M. TILBURY  
Title PRESIDENT
- What is the total number of employees? 16
- Do you have any state or federal contracts? Yes X No         
With what agencies? F. H. A
- Proposed Employment Range - This Project

Job Titles	Total Employed
LABORER	4
CEMENT MASONS	2
<del>OPERATING E</del>	
Operator	1
CARPENTER	2
TRUCK DRIVER	1

(Use extra sheet if necessary)

8. With what labor unions does your firm have contracts?

Name of Union	Local No.	Jobs Covered
	None	

9. Does your firm have a policy to the effect that all hiring and promotion shall be without regard to race, religion, age or national origin?

Yes X No \_\_\_\_\_

a. Is this policy in writing? Yes X No \_\_\_\_\_  
(If so, attach copy to this schedule)

b. In what ways has this policy been communicated to personnel engaged in hiring and promoting employees? written  
& verbal

c. In what ways has this policy been communicated to your sources of recruitment? verbal

10. Do you have apprentices? Yes \_\_\_\_\_ No X

a. 

Name of Trade	Total Apprentices

Name of Trade	Total Apprentices

b. Which of these apprenticeship programs are registered with the Federal Bureau of Apprenticeship Training? N/A

C. What are your sources of referral of applicants for apprenticeship?

N/A

11. Who makes the final selection of apprentices?

Company \_\_\_\_\_, Union \_\_\_\_\_, Joint Committee \_\_\_\_\_

12. For what jobs have you found a shortage of qualified applicants? NONE

13. What jobs are unfilled at present? NONE

14. What job openings do you expect in the near future? UNKNOWN

15. We propose the following actions to undertake to ensure that there will be minority group representation in all trades and in all phases of our operation, in accordance with Paragraphs A through H of Section III of the Mayor's Executive Order.

- a. We propose to employ as apprentices or journeymen on this project the following number of minority group persons in the following crafts:

Journeyman	Apprentices	Craft
<u>2</u>	<u>1</u>	<u>CONCRETE MASON</u>
<u>2</u>		<u>LABORERS</u>

(Use additional sheet if necessary)

16. We propose to upgrade the following number of minority group persons to the following crafts.

<u>Number</u>	<u>Craft (from)</u>	<u>Craft (to)</u>
_____	<u>DONE</u>	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

17. We propose to participate in the following training programs designed to increase minority group employment in the crafts which we employ.

UNKNOWN

18. We propose to utilize the following additional recruitment sources designed to increase minority group employment within our concern.

NOT REQUIRED

19. We propose to take the following other actions to ensure fair employment practices within our concern.

5-14-74

Date

A.M. Tilbury, Inc.  
Name of Firm

Arthur M. Tilbury  
Signature

APPROVED:



DIGEST SHEET

*S-74-07-12*

TITLE OF ORDINANCE \_\_\_\_\_

DEPARTMENT REQUESTING ORDINANCE Park Department

SYNOPSIS OF ORDINANCE An ordinance approving certain bid documents  
with A.M. Tilbury, Inc., for construction of two (2) multipurpose  
courts for Study and Hanna Parks, Open Space Land Program Part I,  
Open Space Project OSC-1008, Resolution R-41-73. This was the only  
bid received.

EFFECT OF PASSAGE Provides for the construction of two (2)  
multipurpose sport and game areas for two (2) parks and continuation  
of this Open Space Project providing improved recreational facilities  
in certain neighborhoods.

EFFECT OF NON-PASSAGE Unable to proceed with project.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

\$29,860.00

ASSIGNED TO COMMITTEE (J.N.) *L. J. J. J.*